

ITEM NO.33

COURT NO.2

SECTION XVI-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CONMT.PET.(C) No. 867/2021 in T.P.(C) No. 2419/2019

THE ADVOCATES ASSOCIATION BENGALURU

Petitioner(s)

VERSUS

BARUN MITRA & ANR.

Respondent(s)

(FOR ADMISSION

IA NO. 20453/2023- PERMISSION TO FILE INTERVENTION

IA NO. 23540/2023- DIRECTIONS

IA NO. 23603/2023- FOR PERMISSION TO FILE INTERVENTION

IA NO. 23644/2023- DIRECTIONS

WITH

W.P.(C) No. 895/2018 (PIL-W)

IA No. 5673/2022 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 104810/2018 - APPROPRIATE ORDERS/DIRECTIONS)

Date : 03-02-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

HON'BLE MR. JUSTICE ABHAY S. OKA

For Petitioner(s)

Mr. Pai Amit, AOR
Mr. Abhiyudaya Vats, Adv.
Ms. Pankhuri Bhardwaj, Adv.
Ms. Ranu Purohit, Adv.
Ms. Bhavana Duhoon, Adv.
Ms. Sonali Suryawanshi, Adv.

Mr. Prashant Bhushan, AOR
Mrs. Cheryl D' Suza, Adv.
Ms. Alice Raj, Adv.
Ms. Ria Yadav, Adv.

For Respondent(s)

Mr. R Venkataramani, Attorney General for India
Mr. Kanu Agarwal, Adv.
Mrs. Swati Ghildiyal, Adv.

Mr. Mayank Pandey, Adv.

Mr. Rajat Nair, Adv.
 Mr. Anandh Venkataramani, Adv.
 Mrs. Vijayalakshmi Venkataramani, Adv.
 Mr. Vinayak Mehrotra, Adv.
 Ms. Mansi Sood, Adv.
 Mr. Chitvan Singhal, Adv.
 Ms. Sonali Jain, Adv.
 Mr. Abhishek Kumar Pandey, Adv.
 Mr. Raman Yadav, Adv.
 Mr. Arvind Kumar Sharma, AOR

FOR SCBA

Mr. Vikas Singh, Sr. Adv.
 Ms. Deepeika Kalia, Adv.
 Mr. Aditya Kaul, Adv.

Ms. Preetik Dwivedi, Adv.
 Mr. Abhishek Mohanty, Adv.

Ms. Manali Singhal, Adv.
 Mr. Devanshu Yadav, Adv.
 Ms. Anzu. K. Varkey, AOR

Ms. Manali Singhal, Adv.
 Mr. Santosh Sachin, Adv.
 Mr. Nikilesh Ramachandran, AOR

UPON hearing the counsel the Court made the following
 O R D E R

Learned Attorney General submits that so far as the five recommendations made by this Court for appointment to the Supreme Court are concerned, "it is happening".

We have put to learned Attorney General as on the last date of hearing that there should be no question of the transfer of the Judges from one Court to the other pending before the Government for such a long period of time, more so, as the Government has little role in it. We have put to the learned Attorney General that any delay in this is not

acceptable. Learned Attorney requests for deferment for a short time.

We have also put to learned Attorney General that the recommendations for appointment of Chief Justices, includes a recommendation of a Judge who is demitting office in nineteen days. Learned Attorney says that he is aware of it and necessary action is being taken.

Mr. Prashant Bhushan, learned counsel also seeks to flag the issue once again of the names which have been reiterated and in fact reiterated thrice in one case for which warrants for appointment have been not been issued.

Mr. Vikas Singh, learned senior counsel appearing for the Supreme Court Bar Association submits that even if a list is pending consideration, nothing prevents for the remaining recommendations to be made, including the future vacancies upto six months. This is something we have already emphasized in earlier proceedings that the High Courts must make all endeavours to send recommendations for all vacancies at the earliest which includes six months' prospective vacancies and the pendency of a particular list or names already sent does not come in the way of making any recommendations.

IA NOS. 23603/2023 AND 23644/2023

Learned counsel for the applicant(s) seeks

to withdraw the applications as it is stated that a substantive petition has been filed qua the issue.

The applications are dismissed as withdrawn.

IA Nos. 20453/2023 and 23540/2023

Learned counsel for the applicant(s) seeks to withdraw the applications as she wishes to file substantive proceedings on account of no appellate authority being provided for the GST where the regime has been in force for almost six years!

The applications are dismissed as withdrawn.

List on 13.02.2023.

A copy of this order be send to learned Attorney General.

[CHARANJEET KAUR]
ASTT. REGISTRAR-cum-PS

[POONAM VAID]
COURT MASTER (NSH)